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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 (OAKLAND DIVISION)

11 APPLE COMPUTER, INC.,

Case No. C 06-5805 SBA

12 Plaintiff,

13 v.

**ORDER GRANTING STIPULATION TO  
AMEND PLAINTIFF'S COMPLAINT**

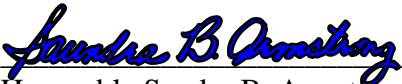
14 PODFITNESS, INC., and DOES 1-100,  
15 inclusive,

16 Defendants.

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18 AND NOW, the Court, having considered the stipulation to amend Apple Computer, Inc.'s  
19 ("Apple") complaint,

20 IT IS HEREBY ORDERED that the stipulation of the parties is approved. Plaintiff Apple  
21 Computer, Inc. ("Apple") may file its First Amended Complaint with the Court to reflect Apple's  
22 recent corporate name change, and to include two additional causes of action for breach of  
23 contract and cybersquatting which Apple contends are based upon newly discovered evidence  
24 regarding Defendant's actions. Defendant shall file its Answer or motion to dismiss Apple's First  
25 Amended Complaint within 30 days of the filing of the First Amended Complaint with the Court.  
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SO ORDERED, this \_30th\_\_ day of July, 2007.

  
\_\_\_\_\_  
Honorable Sandra B. Armstrong  
United States District Court

**PROOF OF SERVICE**

I am employed in the County of San Diego. My business address is Fish & Richardson P.C., 12390 El Camino Real, San Diego, California 92130. I am over the age of 18 and not a party to the foregoing action.

I am readily familiar with the business practice at my place of business for collection and processing of correspondence for personal delivery, for mailing with United States Postal Service, for facsimile, and for overnight delivery by Federal Express, Express Mail, or other overnight service.

On July 30, 2007, I caused a copy of the following document(s):

**[PROPOSED] ORDER GRANTING STIPULATION TO AMEND PLAINTIFF'S COMPLAINT**

to be served on the interested parties in this action by placing a true and correct copy thereof, enclosed in a sealed envelope, and addressed as follows:

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PODFITNESS, INC.

☒

**MAIL:**

Such correspondence was deposited, postage fully paid, with the United States Postal Service on the same day in the ordinary course of business.

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury that the above is true and correct. Executed on July 30, 2007, at San Diego, California.

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Nicole C. Pino

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